

Stephan
09/927,692

REMARKS

A Notice of Appeal was filed on May 19, 2003.

This Preliminary Amendment is filed in connection with a Request for Continued Examination after the prior final office action of November 19, 2002.

Claims 4 and 5 were previously rejected as being indefinite. These claims have been amended to recite that the internal threads within the adapter are female threads and that the external threads outside of the adapter are male threads.

Claims 1, 4 and 5 were rejected as being anticipated by U.S. Patent No. 6,415,937 of DeJong et al.

Claims 1, 4 and 5 were also rejected as being obvious over DeJong '937.

DeJong '937 shows a bottle adapter formed as "a single contiguous unit" (col. 3, lines 49-50) similar to the present invention in this regard. However, the attachment receiving portion of the adapter is interrupted with multiple threaded concentric rings for different types of nipple attachments. For example, the upper chambers formed by annular wall 52 is interrupted with the upwardly extended wall 54 of inner upper chamber 62.

Stephan
09/927,692

In addition, inner upper chamber 62 has a venturi type configuration (see Fig. 4). In the present invention, as in amended Claims 1, 4 and 5, the top chamber has a smooth, cylindrical wall as seen in Fig. 3 and the top chamber is uninterrupted. In contrast, DeJong's upper chamber 56 is interrupted by a slanted upwardly extending wall 54 forming a second chamber 62 within top chamber 56. The second chamber 62 is not cylindrical but due to its slanted wall 56 is wider at its bottom.

In addition, the sealing flange in the present invention has completely flat top and bottom surfaces as seen Fig. 3. In DeJong '937, as seen in his Fig. 4, only the bottom surface of the flange is flat. The top surface is at an angle forming a triangular shape.

While the Examiner states that it would be obvious to provide a flat flange instead of the triangular abuted and braced non-flat flange of DeJong '937, this is not true. This braced shape of DeJong's flange 68 reduces the resilience of the flange and there would result in less effective sealing with the bottle opening. In addition, the slanted upper walls contribute to interruption of fluid flow in chamber 62.

Stephan
09/927,692

In view of the differences between the present invention and the art as discussed above, Claims 1 and 4 have been extensively amended to recite these differences.

Claim 1, as amended, recites that the top chamber is uninterrupted, has an inner smooth cylindrical wall and a larger diameter than the bottom chamber. Since the adapter is designed to be used on narrow opening bottles, the larger top chamber should provide a reservoir for a smoother flow pattern. In DeJong '937, the upper chamber 62 (see Fig. 4) is venturi shaped and would not be likely to provide the type of flow obtained in the present invention.

New Claims 1 and 4 emphasize that the resilient sealing flange is completely flat with flat top and bottom surfaces. In contrast, the flange of DeJong '937 is only partially flat on its top surface, since it ends with an upwardly slanted annular wall features which are not present in amended Claims 1, 4 and 5.

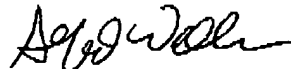
In view of the foregoing, it is believed that the amended Claims 1, 4 and 5 remaining are drawn to patentable subject matter and should be allowed.

A conscientious effort has been made to place this application in condition for immediate allowance. The Examiner is requested to call the undersigned if further changes are required to obtain allowance of the application.

Stephan
09/927,692

A favorable action is solicited.

Respectfully submitted,



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A marked up copy of the Claims is as follows:

1. (amended) An integral single piece adapter ring with internal female and external male threads, for adapting a conventional baby bottle nipple-and-collar to fit a conventional narrow-mouthed threaded beverage bottle top, said adapter comprising:

a cylindrical ring (2) having an internal void (3) therein;

said female threads located on an inner wall (4) of said ring (2);

said female threads for mating with the respective male bottle-top threads of a conventional narrow-diameter threaded-cap beverage container (8); said female threads on said inner wall (4) for permitting alternate user mounting and user removal of said cylindrical ring (2) respectively onto and from said conventional beverage bottle (8);

said cylindrical ring (2) having said external male threads on an outer wall of said ring (2); said male threads for alternate user mounting and removal respectively onto and from respective internal female threads on a conventional baby-bottle nipple collar (6);

Stephan
09/927,692

[a] an unbraced, unencumbered resilient circumferential sealing flange (5), said sealing flange being completely flat on its respective top and bottom surfaces, said sealing flange extending radially inward from said inner wall of said ring (2);

said completely flat sealing flange (5) having a central aperture for permitting fluid flow to a conventional baby-bottle nipple (7) therethrough; said completely flat sealing flange (5) ~~for~~ sealably contacting ~~the~~ an upper edge of the conventional beverage bottle spout when said cylindrical ring (2) and said conventional baby-bottle collar are in their respective mounted positions; and

an uninterrupted top chamber above said sealing flange (5) and a bottom chamber below said sealing flange (5), said top chamber having a smooth, cylindrical interior wall and a diameter larger than the diameter of said bottom chamber.

4. (new) An integral, single piece adapter for adapting a baby bottle nipple for use on and with a narrow-mouthed threaded beverage bottle top comprising:

a circular ring divided in the interior thereof into an uninterrupted top chamber and a bottom chamber by an inwardly extending unbraced, unencumbered resilient sealing

Stephan
09/927,692

flange, said unbraced, unencumbered sealing flange being completely flat on respective top and bottom surfaces thereof for engaging and sealing a top opening of said beverage bottle top, said completely flat sealing flange having an opening for passage of liquid;

said top chamber having an uninterrupted recess therein and a smooth cylindrical interior wall surface;

female threads being provided along an inner surface of said bottom chamber for engaging threads on the outside of said beverage bottle top;

a collar formed on the outside of said ring adjacent a lower opening into said bottom chamber; and

male threads on the outside of said ring above said collar for engagement with a collar accommodating said nipple therein.

5. (new) The integral, single piece ~~adapter~~ adapter of claim 4 in which said top chamber has ~~a smooth cylindrical interior wall surface with~~ a larger inside diameter than said bottom chamber.